

Message Text

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ACTION OES-07

INFO OCT-01 IO-13 ISO-00 ACDA-07 CIAE-00 INR-07 L-03
NSAE-00 NSC-05 EB-07 NRC-05 FEAE-00 DODE-00 PM-04
SP-02 SS-15 OIC-02 AF-10 ARA-06 EA-07 EUR-12
NEA-10 /123 W
-----031900Z 113592 /45

R 031656Z MAY 77
FM USMISSION IAEA VIENNA
TO SECSTATE WASHDC 9063
INFO USERDA HQ WASHDC
USERDA HQ GERMANTOWN

C O N F I D E N T I A L SECTION 1 OF 2 IAEA VIENNA 3581

DEPT PASS IO/SCT AND NRC

E.O. 11652: GDS
TAGS: TECH, ENRG, IAEA, PARM
SUBJECT: US/IAEA SAFEGUARDS AGREEMENT SUBSIDIARY ARRANGEMENT
NEGOTIATIONS, APRIL 26-29

REF: STATE 069873

1. FIRST US/IAEA NEGOTIATING MEETING FOR SUBSIDIARY
ARRANGMENTS (SA) CALLED FOR BY DRAFT US/IAEA SAFEGUARDS
AGREEMENT (GOV/1806) WAS HELD AT IAEA APRIL 26-29. THIS
MEETING WAS DEVOTED PRINCIPALLY TO REVIEW AND DISCUSSION
OF U.S. DRAFT OF CODES 1 THROUGH 9 OF GENERAL PART OF
SA WITH U.S. EXPLAINING RATIONALE FOR CHANGES FROM
IAEA MODEL SA. THERE WAS ALSO PRELIMINARY DISCUSSION
OF OVERALL SCHEDULE AND PROGRAM FOR NEGOTIATIONS OF
SA GENERAL PART AND OF SELECTED FACILITY ATTACHMENTS
(FA) (SEE PARA 2) WITH U.S. INDICATING OBJECTIVE OF
COMPLETING NEGOTIATION OF PROVISIONAL TEXTS OF THESE
DOCUMENTS BY OCTOBER 1977. IAEA AGREED TO REVIEW IN
DETAIL U.S. DRAFT SA CODES 1-9 AND PROVIDE TO U.S.
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A REDRAFT BY FIRST WEEK IN JUNE.

2. IAEA WAS RECEPTIVE TO U.S. SUGGESTION THAT PRO-
VISIONAL TEXTS BE NEGOTIATED, BY OCTOBER 1977, IF
POSSIBLE, OF FACILITY ATTACHMENTS FOR (A) THE
FOUR U.S. PWR AND BWR FUEL ELEMENT FABRICATING PLANTS
AND (B) THREE OR FOUR POWER REACTORS TYPICAL OF THE

LATEST DIFFERENT U.S. MAKES. THE U.S. WILL PREPARE THE FIRST DRAFTS OF THESE FA'S. TWOFOLD PURPOSE OF THIS ACTIVITY WOULD BE (A) ACCOMPLISH AS MUCH PREPARATION AS POSSIBLE PRIOR TO AGREEMENT COMING INTO FORCE AND (B) GIVE U.S. AN OPPORTUNITY TO INFLUENCE THE STRENGTHENING OF IAEA SAFEGUARDS THROUGH INTRODUCING MORE EFFECTIVE MEASURES INTO DRAFT FA'S. OBJECTIVE OF PRESERVING INDEPENDENCE OF AGENCY'S RIGHT TO SELECT FACILITIES WOULD BE MAINTAINED. AGENCY TEAM ASKED U.S. ALSO TO CONSIDER PREPARATION OF FIRST DRAFTS OF FA'S FOR A FEW BULK PU HANDLING FACILITIES, FAST CRITICAL ASSEMBLIES, LARGE R&D CENTERS AND OTHER COMPLEX FACILITIES WHICH IAEA IS RESPONSIBLE FOR SAFEGUARDING IN OTHER COUNTRIES.

3. NEXT NEGOTIATING MEETINGS TENTATIVELY SCHEDULED START IN WEEK OF 20 JUNE IN WASHINGTON WITH POSSIBILITY OF ALSO MEETING 27 AND 28 JUNE WITH DDG FOR SAFEGUARDS ROMETSCH WHO WILL BE ATTENDING INMM MEETING IN WASHINGTON JUNE 29 THROUGH JULY 1. AGENCY SA REDRAFT AND U.S. PROGRESS ON FA'S WOULD BE TOPIC.

4. IN ABSENCE OF LIST OF ELIGIBLE U.S. FACILITIES AND THE FACILITY SELECTION CONSULTATIONS WHICH DG EKLUND HAS PROMISED WITH OTHER INTERESTED COUNTRIES, SECRETARIAT VENTURED GUESS THAT IAEA WOULD MAKE SELECTION ON FOLLOWING BASIS:

(A) AT TIME AGREEMENT COMES INTO FORCE; (I) THREE
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POWER REACTORS AND ONE LEU FUEL FABRICATION PLANT WOULD BE SELECTED FOR SAFEGUARDING UNDER SAFEGUARDS AGREEMENT, (II) TWO ADDITIONAL LEU FUEL FABRICATION PLANTS WOULD BE SELECTED UNDER PROTOCOL WITH COMPLETE TRANSITIONAL SUBSIDIARY ARRANGEMENTS (TSA'S) AND TRANSITIONAL FACILITY ATTACHMENT (FA'S), INCLUDING THE CODES COVERING INSPECTIONS, WHICH OF COURSE WOULD NOT BE IMPLEMENTED, AND (III) TWO ADDITIONAL LEU FUEL FABRICATION PLANTS AND TWO OTHER TYPES OF BULK HANDLING FACILITIES ALSO WOULD COME UNDER PROTOCOL BUT ONLY TO EXTENT NECESSARY TO HAVE IAEA REPORTING SYSTEM IN EFFECT FOR THOSE FACILITIES, I.E., WITHOUT DETAILS IN TSA'S AND TFA'S PERTAINING TO HOW AGENCY WOULD INSPECT THOSE

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R 031656Z MAY 77
FM USMISSION IAEA VIENNA
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C O N F I D E N T I A L SECTION 2 OF 2 IAEA VIENNA 3581

DEPT PASS IO/SCT AND NRC

FACILITIES SHOULD THEY BE SELECTED FOR SAFEGUARDS
UNDER THE SAFEGUARDS AGREEMENT. (B) ROUGHLY SIX
MONTHS AFTER THE AGREEMENT COMES INTO FORCE THESE
THREE CATEGORIES WOULD BE AS FOLLOWS; (I) SAME AS IN
(A), (II) ADD TWO OTHER TYPES OF BULK HANDLING
FACILITIES, (III) ADD REMAINDER OF ELIGIBLE FACILITIES.
AGENCY STATED THAT FROM A TECHNICAL POINT OF VIEW FOR
THE EFFECTIVE APPLICATION OF SAFEGUARDS ONCE A
FACILITY WAS SELECTED FOR SAFEGUARDS UNDER THE AGREEMENT
THE FACILITY SHOULD REMAIN UNDER SAFEGUARDS FOR A
MINIMUM OF TWO YEARS.

5. SECRETARIAT LONG TERM OBJECTIVE, INTER ALIA, WOULD
BE TO HAVE ALL ELIGIBLE FACILITIES WHICH NOT
SELECTED FOR SAFEGUARDS UNDER THE AGREEMENT TO BE
SELECTED FOR ACTIVITIES UNDER THE PROTOCOL WITH COMPLETE
TSA'S AND TFA'S.

6. NEED WAS RECOGNIZED TO ASSURE THAT MATERIALS
EQUAL IN AMOUNT AND COMPOSITION TO MATERIALS REQUIRING
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IAEA SAFEGUARDS IN U.S. UNDER TRILATERAL SAFEGUARDS
AGREEMENTS (WHICH WOULD BE SUSPENDED UNDER THE US/IAEA
SAFEGUARDS AGREEMENT) WERE LOCATED IN SELECTED,
ELIGIBLE FACILITIES (SUCH AS THE 50 KGS OF PU BEING

SAFEGUARDED AT ANL UNDER US/JAPAN/IAEA TRILATERAL).

7. POSSIBILITY WAS ALSO DISCUSSED OF US/IAEA TECHNICAL EXPERTS HOLDING DISCUSSIONS ON PARTS OF SA CODE 10 WHICH WOULD NOT BE EFFECTED BY OUTCOME OF REPORTING PHASE OF WILMINGTON EXERCISE. U.S. TEAM IS TO MAKE SPECIFIC PROPOSAL ON THIS AFTER FURTHER CONSIDERATION IN WASHINGTON. AGENCY PROVIDED U.S. TEAM WITH LATEST (APRIL 1977) VERSION OF MODEL CODE 10.

8. U.S. TEAM HELD A SEPARATE MEETING WITH DDG ROMETSCH TO DISCUSS POSSIBLE AREAS WHERE UPGRADING OF NORMAL IAEA SAFEGUARDS PRACTICES IN U.S. DRAFT FA'S MIGHT BE USEFUL. WASHINGTON MEMBERS OF U.S. TEAM WILL BRING BACK DETAILS ON THIS DISCUSSION. STONE

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